B. 406. Bodleian, Boston Athenaeum & Yale only

The CASE and USAGE of Mr. *Edward Bagshaw.*

ON *January* 3. 1662. I living then peaceably in *Northamptonshire*, by a Servant of Sir *John Bernard*, one of the Justices of Peace of our Country, was served with a Warrant, subscribed by Sir *Henry Bennet*, wherein *my Person* was commanded to be *seized, with my Books and Papers*: This was brought to me about seven a clock at night, and though I might well have pleaded the unseasonableness of travelling at that hour, yet to shew how willing I was to clear my self, that very night I rode seven Miles to Sir *John Bernard*'s House, where I lodged, and spent the Lord's Day following.

On Monday, *Jan.* 5. though the Weather was so tempestuous, that Sir *John* did very civilly intimate his willingness to let me stay; yet, lest any Delay might seem to argue Guilt, I refused his courteous offer, and that day rode to *Dunstable*; which was about 25 Miles, in so much Wet, that nothing but a Zeal to clear my Innocence, could have made me so willingly venture through it.

On Tuesday, *Jan.* 6. from *Dunstable* I rode to *London*, where I arrived about one a clock: and though I was desired, after so long a Journey, to stay and refresh my self; yet, so impatient was I to know my Crime, that, without either eating or drinking, and in my Riding Habit, I went immediately to the *Secretary* Sir *Henry Bennet*, by whom I was examined about three in the afternoon, but so slightly, that I plainly saw he was not himself satisfied, that I deserved any of that kind of Rigour; yet, whether because he was bound by his Place to comply with the Information of my Accusers, or, [illegible] not able to bear down the Importunity and Addres[illegible] by Sir *Jonnies*, he [illegible]iciously and in- sent

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ſent me forthwith to the *Gate-houſe*, and committed me *Cloſe-Priſoner, for Dangerous and Seditious Words and Practices.*

In that place I abode ten dayes, after which time, the *Chancellour* (who now appeared as the ſole Author of my Impriſonment) ſent for me to *Worceſter-houſe*, and in his Chamber (the Secretary being preſent) asked me ſeveral captious and enſnaring Queſtions; As, *Whether I had never ſaid that the Long-Parliament was in Being?* And, *Whether I did not affirm, That by the Spring there would be a Change?* And, *Whether I had never ſpoken Derogatory words of the King, by ſaying that he kept Wenches*, and the like? To all which, when I had, as I thought, given ſatisfactory Anſwers, I deſired I might be brought to a *Tryal*: but was anſwered, *That ſhould be when the King pleaſed*: Upon which I was remanded to the *Gate-houſe*; but that afternoon, *viz.* upon *Jan.* 16. I was fetched from thence, and ſent to the *Tower*, whither I was committed *Cloſe-Priſoner* by a New Warrant, the words of my former being changed, into, *Treaſonable Deſigns and Practices*: But for what Reaſon that Alteration was made, I as yet know not, having often deſired a *Tryal*, but could not obtain it.

With what unhandſom Circumſtances of Rigorous Reſtraint I was uſed there, I ſhall now forbear to mention, becauſe a few words cannot expreſs that matter: but in ſhort, notwithſtanding I was forced to give ten pieces in Gold to Sir *John Robinſon*, to purchaſe the Liberty of Tower Air, and beſides paid thirty ſhillings a week for my Diet and Lodging, yet I was given to the Arbitrary Diſpoſal of an Abſurd and Drunken Keeper, who being himſelf *a ſlave to his Luſts*, was thought the fitteſt perſon to oppreſs the ſpirit of one, who never was guilty of any *State-crime*, but the deſiring of a *ſober Liberty*.

In this condition I continued above a year, ſo hopeleſs of Redreſs, that I never did attempt to ſeek it; when on *Jan.* 30. 1663. one Mr. *L'Eſtrange* (whom I had heard much, and written ſomething of, but never ſaw before) came to ſearch my Cha[illegible] in my Window found a Paper, which contained [illegible] Mr. *Davis*, who was then newly ſent to

Tangier

Tangier in a very Extraordinary manner ; In which Paper, there were, it ſeems, ſome *Marginal Notes* likely to give Offence; and therefore it was in all haſt conveyed to *Whitehall*, as a Diſcovery worthy the Diligence of ſuch a Needy and Officious Informer.

On *Feb.* 2. following, I was ſent for to *Whitehall*, and by the King himſelf examined about that Paper; not whether I contrived or writ it (for that, as Sir *John Robinſon* afterwards told me, the King was ſatisfied I had no hand in) but *how*, and by *whom* it was conveyed to me? To whoſe Queſtions, though I anſwered in words of Truth and Sobriety, yet becauſe I durſt not do a thing ſo unworthy of the Goſpel, as to betray another; and becauſe I could not humble my Language to the *falſe* and *flattering ſtile* of Court (for though I was called *Rogue*, and uſed like one, yet I could not forget that I was a *Miniſter of the Goſpel*, and therefore was enabled to ſpeak with that Conſtancy which became one.) For this I was returned back by the King, in a Paſſion, much greater than his Title; and that very night, about eleven a clock at night, I was by Sir *John Robinſon* committed to the *Tower-Dungeon*; where I continued four dayes and four nights, without either *Bed*, *Fire*, *Candle*, or any thing elſe, that, as to humane conveniencies, could make my Life deſirable: Beſides the Diſmal Horrour of that place, being all the time afflicted with the *Piles*, in ſo great extremity, that the very vehemence of pain did often put me into a ſweat, and ſo by accident prevented my feeling the cold, which at that time of the year, and in that place, was more than ordinarily piercing.

On Saturday, *Feb.* 6. about three in the afternoon I was releaſed from thence, without any ſeeking of my own, but by the *unwearied Importunity* of my Eldeſt Brother, and (that I may be juſt in commemorating, as I think, an Effect of Real Worth) by the generous and compaſſionate reſentment of Sir *Henry Bennet* the Secretary, by whoſe Warrant I was returned to my former Lodgings, and by his Interceſſion, preſerved from being remanded into the Dungeon, which, by Sir *John Robinſon* the very next day after, was moſt maliciouſly and inhumanely ſollicited.

Though

Though I came out of the Dungeon with ſo much Health, as made it evidently appear that God himſelf did own and preſerve me there, yet within three dayes after, I fell into a violent Feaver, which brought me very low; And though God did then likewiſe deliver me from the Fury of it, yet Sir *John Robinſon* was not wanting to do his part that it might prove *mortal*; forbidding not onely my Brothers, but likewiſe my Phyſician acceſs to me, notwithſtanding both He and They had an expreſs Order for their free Admittance.

I am ſcarcely yet well recovered, when this News comes, that I am to be ſent away I know not whither; —— And ſince I underſtand that every part of this Proceeding againſt me, is contrary, not only to God's, but likewiſe to our *Engliſh Laws*, I thought fit to leave this Narrative behind me, that it may be preſented to the ſcanning of all ſober and virtuous Men in the approaching Parliament: And if they find that one Innocent Perſon cannot ſuffer unjuſtly, but all are threatned; and beſides, the Honour of the Nation ſuffers, which conſiſts in having Right done to all its Members; I ſhall then expect a Redreſs, equal to my Injuries; At leaſt, that I may be reſtored unto my *Birth-right*, and that is, my *Liberty*.

March 10. $166\frac{3}{4}$.
11. *at night.* *Edw. Bagſhaw.*

Poſtſcript to the Reader.

I Have carefully peruſed this Narative; and if any Diſpaſſionate and Impartial Reader judge, that any expreſſion here is too Sharp and Vehement, let him put himſelf in my caſe, and then write more mildly if he can: For, to oppreſs an INNOCENT Perſon in his juſt Rights; and to break thoſe very Laws, which

which are not only Righteous in themſelves, but made Sacred by being ſworn to; even moderate men, thus provoked, would not have ſcrupled to call by their True Names; which I, in civility, have forborn to mention. And though ſince the writing of this, it hath pleaſed God to over-rule the Intentions, that were once taken up, and reſolved upon, of ſending me away, yet I would not alter any part of my Caſe, that ſo it might make the deeper impreſſion: Since the words of *departing*, as well as of *dying men*, may eaſily be ſuppoſed to be moſt weighty and ſerious.

March 16. 166$\frac{3}{4}$ *Edward Bagſhaw.*

On the 2d. *of* February, *by a Warrant from Sir* Henry Bennet, *I was ſent for to* White-Hall, *and being conveyed to his Lodgings, he told me,* The King within, expected me; *who immediately examined me as followeth.*

K. *DO you know any thing of this Paper?* (ſhewing the Paper that *L'Eſtrange* took.)

B. I know, that I neither had, hand, or head in it.

K. *Do not you know who brought it into your Chamber?*

B. It's very poſſible, Mr. *L'Eſtrange* might, for he hath malice enough to do ſuch a thing.

K. *I perceive my Clemency doth no good, I will take a courſe with ſuch Rogues as you are.*

B. Sir, this is not Language becoming a *Chriſtian* Magiſtrate.

K. *You*

K. *You are a Rogue indeed, to teach me what I am to do; I will make your bones ſtretch for it, how great ſoever you think your Party is.*

Sir Henry Bennet. *Pray Mr.* Bagſhaw, *tell the* King *ingeniouſly who writ that Paper.*

B. I have ſaid already, that I had not the leaſt hand in it, and this I ſpeak as in the Preſence of God, nor can I poſitively ſay, who is the Author.

K. *But will you ſay, you know not, who put it into your hand?*

B. I do not ſay ſo; but we cloſe-Priſoners, are in that condition, that many things may be done to us, that we can give no certain accompt of.

K. *Well, I ſhall teach you the duty of a Chriſtian Subject, you ſhall ſtretch for it.*

B. You ſay, I muſt anſwer for that Paper with my life, ſo that it is to no purpoſe for me to ſay any thing.

K. *No, Sirra, that ſhall not ſerve your turn, I'le ſee how well this Pertneſs will abide with you.*

B. Sir, you can do no more than God gives you leave to do, you have no Power but what comes from Him; that truth I have learn'd of the Scriptures; and I bleſs God I have peace in my Conſcience, that I have neither ſpoken or done any thing ſeditiouſly, and that I have had a care, to keep a Conſcience void of offence both towards God and men.

K. *I'le ſee what peace you will have, your fleſh ſhall pay for it; Mr. Lieutenant, take him away.*

B. In the mean time, I wiſh you true peace, inward peace. Upon the ſpeaking of which words he departed.

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